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06 UNITED STATES DISTRICT COURT  
07 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

08 UNITED STATES OF AMERICA, )  
09 Plaintiff, ) CASE NO. CR12-062-RSL  
10 v. )  
11 RICHARD A. ORTIZ, ) DETENTION ORDER  
12 Defendant. )  
13 \_\_\_\_\_ )

14 Offense charged: Conspiracy to Distribute Heroin and Methamphetamine

15 Date of Detention Hearing: April 4, 2012.

16 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and  
17 based upon the factual findings and statement of reasons for detention hereafter set forth, finds  
18 that no condition or combination of conditions which defendant can meet will reasonably  
19 assure the appearance of defendant as required and the safety of other persons and the  
20 community.

21 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

22 1. Defendant has been charged with a drug offense, the maximum penalty of which

01 is in excess of ten years. There is therefore a rebuttable presumption against defendant as to  
02 both dangerousness and flight risk, under 18 U.S.C. § 3142(e). Defendant is also facing  
03 charges of violation of supervised release related to the instant charges. (Case No. Cr07-0275.)  
04 Defendant does not contest detention in either case.

05         2. Defendant's criminal history includes failures to appear for court and resultant  
06 warrant activity, active warrants, illegal drug use, new criminal activity, and absconding from  
07 supervision. He was not interviewed by Pretrial Services and much of his background  
08 information is unknown or unverified.

09         3. Taken as a whole, the record does not effectively rebut the presumption that no  
10 condition or combination of conditions will reasonably assure the appearance of the defendant  
11 as required and the safety of the community.

12 It is therefore ORDERED:

- 13         1. Defendant shall be detained pending trial and committed to the custody of the Attorney  
14         General for confinement in a correction facility separate, to the extent practicable, from  
15         persons awaiting or serving sentences or being held in custody pending appeal;
- 16         2. Defendant shall be afforded reasonable opportunity for private consultation with  
17         counsel;
- 18         3. On order of the United States or on request of an attorney for the Government, the  
19         person in charge of the corrections facility in which defendant is confined shall deliver  
20         the defendant to a United States Marshal for the purpose of an appearance in connection  
21         with a court proceeding; and
- 22         4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel

01 for the defendant, to the United States Marshal, and to the United State Pretrial Services  
02 Officer.

03 DATED this 4th day of April, 2012.

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06 Mary Alice Theiler  
07 United States Magistrate Judge  
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